

Notice of Allowability

Application No.

10/049,898

Examiner

Michelle R. Connelly-Cushwa

Applicant(s)

DEUTSCH, BERNHARD A.M.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendment filed October 30, 2003.
2. ☒ The allowed claim(s) is/are 1,3-6,8 and 9.
3. ☒ The drawings filed on 12 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


AKM ENAYET ULLAH
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

Applicant's Amendment filed October 30, 2003 has been fully considered and entered.

Allowable Subject Matter

Claims 1, 3-6, 8 and 9 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art cited on the PTO-892 form attached to the Office action mailed August 20, 2003 is the most relevant prior art known. However, the invention of claims 1, 3-6, 8 and 9 distinguishes over the prior art of record for the following reasons.

Regarding claims 1, 3 and 4; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render obvious an optical waveguide as defined in claim 1, wherein the outer coating is subdivided into two half-shells whose magnetic orientations are mutually opposed in combination with the other limitations of claim 1. Claims 3 and 4 depend from claim 1.

Regarding claims 5, 6, 8 and 9; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render obvious an optical isolator as defined in claim 5, wherein the outer coating of the optical waveguide fiber is subdivided into two half-shells whose magnetic orientations are mutually opposed in combination with the other limitations of claim 5. Claims 6, 8 and 9 depend from claim 5.

Hence, there is no reason or motivation for one of ordinary skill in the art to use the prior art of record to make the invention of claims 1, 3-6, 8 and 9.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning the merits of this communication should be directed to Examiner Michelle R. Connelly-Cushwa at telephone number (571) 272-2345. The examiner can normally be reached 9:00 AM to 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562.

MRCC

Michelle R. Connelly-Cushwa
Patent Examiner
June 21, 2004


AKM ENAYET ULLAH
PRIMARY EXAMINER